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13
14 UNITED STATES DISTRICT COURT
15 SOUTHERN DISTRICT OF CALIFORNIA

16 WI-LAN USA, INC. and
17 WI-LAN, INC.,

18 Plaintiffs,

19 v.

20 APPLE INC.,

21 Defendant.

Case No.: 3:13-cv-798-DMS (BLM)

**DEFENDANT APPLE INC.'S NOTICE
OF MOTION AND MOTION FOR
SUMMARY JUDGMENT**

Hearing date: September 26, 2014
Time: 1:30p.m.

Department: 13A
Judge: Hon. Dana M. Sabraw
Magistrate Judge: Hon. Barbara L. Major

Complaint Filed: December 6, 2012

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on September 26, 2014 at 1:30 p.m., or as soon thereafter as the matter may be heard in Department 13A of the above-entitled court, located at the Edward J. Schwartz U.S. Courthouse, 221 West Broadway, San Diego, California, Defendant Apple Inc. ("Apple") will and hereby does move for summary judgment, pursuant to Federal Rule of Civil Procedure 56.

Apple bases this motion on this Notice of Motion, the Separate Statement of Undisputed Material Facts, the Memorandum of Points and Authorities, the concurrently filed Declaration of Mark C. Scarsi, the pleadings, papers, and records on file with the Court in this action, as well as any further evidence or argument that may be presented at the hearing of this Motion.

DATED: August 22, 2014

MILBANK, TWEED, HADLEY
& McCLOY LLP

By: /s/ Mark C. Scarsi
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Attorneys for Defendant Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document has been forwarded, via the Courts CM/ECF electronic filing system upon Plaintiff's counsel of record on August 22, 2014.

/s/ Mark C. Scarsi
Mark C. Scarsi